

REMARKS

Claims 1-15 are pending in the present application. 1, 7, 8, 10 and 11 have been amended for clarity. New claims 12-15 find support in Example 1 on page 35. No new matter has been added by way of the above-amendment.

The Examiner alleges that the current claims lack unity of invention and has required an election in the present application between:

Group I, claims 1-6, drawn to compounds of formula 1, classifiable in several non-heterocyclic classes (549, etc.), numerous subclasses;

Group II, claims 7 and 11, drawn to a process of making compounds of formula 1, classifiable in several non-heterocyclic classes (540, etc.), numerous subclasses;

Group III, claims 8-9, drawn to a process of making compounds of formula 5 or 6, classifiable in several non-heterocyclic classes (560, etc.), numerous subclasses;
and

Group IV, claim 10, drawn to a process of making compounds of formula 7, classifiable in several non-heterocyclic classes (562, etc.), numerous subclasses.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-6.

The Examiner alleges that the present claims lack unity of invention, since "the only structural element shared by groups I-IV is" the compounds of formula 1 and the compounds of formula 1 are taught in Nakayama et al. (Heterocycles – 1984). However, present claim 1 is drawn to a charge transport organic material comprising the compounds of formula 1. Nakayama et al. are silent with respect to a charge transport organic material. As such, Applicants believe that unity is not broken by the teachings of Nakayama et al.


However, should the Examiner maintain the holding of lack of unity, Applicants respectfully remind the Examiner that should the product claims be found allowable, the process claims which depend from or otherwise include all the limitations of the allowable product claims are to be rejoined, see MPEP § 821.04.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Reg. No. 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By  #43575
Gerald M. Murphy, Jr. *for*
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant